



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1433/7/7/22

BETWEEN:

DR LIZA LOVDAHL GORMSEN

Class Representative

- v -

(1) META PLATFORMS INC
(2) META PLATFORMS IRELAND LIMITED
(3) FACEBOOK UK LIMITED

Defendants

COLLECTIVE PROCEEDINGS ORDER

UPON the Class Representative’s application for a collective proceedings order (the “**CPO Application**”) pursuant to section 47B of the Competition Act 1998 (“**section 47B**”) and Rule 75 of the Competition Appeal Tribunal Rules 2015 (S.I. 2015 No. 1648) (the “**Tribunal Rules**”)

AND UPON receipt of a collective proceedings claim form filed on 14 February 2022 (the “**Claim Form**”)

AND UPON reading the evidence and material submitted by the parties

AND UPON hearing counsel for the parties at a hearing on 30 January to 1 February 2023 (the “**CPO Hearing**”)

AND UPON the Tribunal handing down judgment on the CPO Application on 20 February 2023 and staying the proceedings for a period of six months by an order dated 22 March 2023

AND UPON the Tribunal extending the stay of the proceedings until 6 October 2023 by an order dated 21 September 2023

AND UPON the Class Representative filing an application for permission to amend the Claim Form and filing additional evidence on 6 October 2023 (the “**Revised CPO Application**”)

AND UPON reading the further evidence and material submitted by the parties

AND UPON hearing counsel for the parties at a hearing on 8 to 9 January 2024 (the “**Revised CPO Application Hearing**”)

AND UPON the Tribunal handing down judgment on the Revised CPO Application on 15 February 2024

AND UPON the Tribunal considering that it is just and reasonable for Dr Liza Lovdahl Gormsen to act as the representative for the Class (as defined below) in these proceedings

IT IS ORDERED THAT:

Forum

1. Pursuant to Rules 18, 52 and 74 of the Tribunal Rules, the proceedings shall be treated as proceedings in England and Wales.

Authorisation of the Class Representative

2. Pursuant to section 47B and Rules 77 and 80 of the Tribunal Rules, Dr Liza Lovdahl Gormsen is authorised to act as the Class Representative to continue collective proceedings on an opt-out basis claiming damages for loss suffered by the Class (as defined below).

3. The remedy sought is an award of aggregate damages for the Class pursuant to section 47C(2) of the Competition Act 1998, together with interest, costs and any further or other relief as the Tribunal may think fit.
4. The Class Representative's address for service is Quinn Emanuel Urquhart & Sullivan, LLP, 90 High Holborn, London WC1V 6LJ (for the attention of Kate Vernon, Leo Kitchen and Megan Betts).

Class definition

5. The **Class** shall be defined as: "all **Users of Facebook** who had a **Facebook account** at any time during the **Class Period** and accessed their account at least once during the Class Period while in the UK ("**UK Users**")."

For the purposes of this class definition:

- (a) **Class Period** means the period between 14 February 2016 and 6 October 2023, inclusive.
- (b) **Users** means individuals who are natural persons (including children).
- (c) Where any UK User (as defined above) has died since the beginning of the Class Period, the personal / authorised representative of their estate becomes the Class Member.
- (d) **Facebook** means the personal social network service Facebook.com, owned / operated by the Defendants.
- (e) **Facebook account** means an individual's personal account on the Facebook personal social network service.

The persons who fall within the definition of the Class are referred to below as the "**Class Members**".

The following persons and categories of persons (as constituted from time to time) shall be excluded from the Class and accordingly not be Class Members:

- (a) the Class Representative;
- (b) officers, directors or employees of the Defendants;
- (c) all members of the Class Representative's legal team;
- (d) all members of the Defendants' legal team;
- (e) all experts instructed on behalf of the Class Representative;
- (f) all experts instructed on behalf of the Defendants;
- (g) all members of the Class Representative's Advisory Committee;
- (h) all employees of the claims administrator engaged in advising and assisting the Class Representative, and any other professional adviser who may be engaged by the Class Representative for the purpose of these proceedings; and
- (i) all members of the Tribunal panel assigned to these proceedings.

Notification

6. The Class Representative shall publish a Notice of the Collective Proceedings in the form appended to this Order, in accordance with Rule 81 of the Tribunal Rules.

Opting-out

7. Every Class Member who is domiciled in the United Kingdom on 15 February 2024 (the "**Domicile Date**") shall be included in these collective proceedings subject to paragraph 8 below.
8. Any Class Member who is domiciled in the United Kingdom on the Domicile Date may opt out of the Collective Proceedings by giving the Class Representative notice in writing

of their intention to opt out by 4pm on the date 3 months after the date of publication of the Notice.

9. Any notice to be given under paragraph 8 above, and any other document to be served on the Class Representative, shall be served in accordance with the attached Notice, including submission via the website (www.facebookclaim.co.uk), via e-mail to optouts@facebookclaim.co.uk, or being sent to:

Facebook Claim Opt Out

PO Box 13536

BRAINTREE

CM7 0QG

Directions

10. The Class Representative shall have permission to amend the Claim Form in the form of the Draft Amended Claim Form filed on 14 March 2024. The Class Representative shall file and serve the Amended Claim Form by no later than **4pm on 9 May 2024**.
11. There be liberty to apply.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 2 May 2024
Drawn: 2 May 2024